



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

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LAND, CHEMICALS &
REDEVELOPMENT
DIVISION

NOV 14 2019

Mr. Shimon Mizrahi
Managing Partner
Rainier Commons, LLC
918 South Horton, Suite #1018
Seattle, Washington 98134

Subject: Amendment 5 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, WA, EPA ID No. WAD 05123 9994

Dear Mr. Mizrahi:

This letter serves as Amendment 5 to the Risk-Based Disposal Approval to abate paint at Rainier Commons. Specifically, it updates conditions in the Phase II Approval for abatement of paint on the south elevation of Building 15 at Rainier Commons (Amendment 4) dated July 11, 2016.

While implementing Amendment 4 to the Risk-Based Disposal Approval (RBDA) several technical changes were made to improve the effectiveness of abatement activities and ensure no unreasonable risk of harm to health or the environment. The following conditions in Amendment 4 have been updated.

Condition 7:

- a. Original Language: All personnel entering the interior or exterior containment structures or conducting any cleaning or sample collection for PCB analysis, shall do so wearing appropriate PPE as documented in the Health and Safety Plan in the Phase II IPWP to protect against PCB exposure.
- b. New Amendment 5 Language: All personnel entering the interior or exterior containment structures or conducting any cleaning or sample collection for PCB analysis shall do so wearing appropriate PPE as documented in the Health and Safety Plan in the Phase II IPWP to protect against PCB exposure. Personnel entering the interior containment structure do not require supplied air respirator or Tyvek coveralls, unless there is an active breach.

Condition 10.a.iii.:

- a. Original Language: Rainier shall use a wind-sock or similar device to measure wind direction. Two EPAM-5000 dust monitoring devices fitted on a daily basis with a 47 mm 1.0 micron filter shall be placed near Negative Air Machine (NAM) exhausts downwind of the abatement activity. In accordance with the Work Plan and condition 10.b above, sampling devices shall be co-located with the dust monitors. Wind direction shall be assessed every 4 hours and monitoring devices moved accordingly.

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- b. New Amendment 5 Language: Rainier shall use a wind-sock or similar device to measure wind direction. Two EPAM-5000 dust monitoring devices fitted on a daily basis with a 47 mm 1.0 micron filter shall be placed near Negative Air Machine (NAM) exhausts downwind of the abatement activity. Wind direction shall be assessed every 4 hours and monitoring devices moved accordingly.
- c. Explanation: Because the EPAM-5000 dust monitoring devices are fitted with a filter which can be analyzed for PCBs and/or metals, redundant sampling devices co-located with the dust monitors are not necessary.

Condition 10.b.i.:

- a. Original Language: The dust concentration read-out from each EPAM-5000 machine shall be corrected according to the average correlation factor established for each machine, as noted below:

Unit #497 correlation factor = 1.52
 Unit #498 correlation factor = 2.06
 All other Unit correlation factors = 1.79

- b. New Amendment 5 Language: The dust concentration read-out from each EPAM-5000 machine shall be corrected according to the average correlation factor established for each machine, as noted below:

<u>Unit #</u>	<u>Correlation Factor</u>
497	1.25
498	1.43
728	.63
490	3.33
759	.1
186	.17
234	.65

- c. Explanation: Rainier conducted additional gravimetric analysis which is the basis of the updated correlation factors.

Condition 10.b.ii:

- a. Original Language: The daily Time Weighted Average of interior dust concentrations measured by the EPAM-5000 units exceeds 0.0282 mg/m³, as corrected by each unit correlation factor according to Condition 10.b.i
- b. New Amendment 5 Language: The daily Time Weighted Average of interior dust concentrations measured by the EPAM-5000 units exceeds 1.0 mg/m³, as corrected by each unit correlation factor according to Condition 10.b.i

- c. Explanation: The original action level was a very conservative approach, based on variation from background dust. Background dust was measured from December 2015 until April 2016. This data was used to calculate an action level that was expected to be above 95 percent of all dust readings collected during the abatement activity. Unfortunately, abatement did not begin on schedule in April, but instead began July 15, 2016. The seasonal difference in particulate loads is significant, due to precipitation and pollen changes. Additionally, nuisance activities from neighbors generated new sources of dust in the vicinity of the abatement and monitoring activities at Rainier Commons. As a result, the interior dust monitors at Rainier Commons exceeded the action level based on background data every day, even on non-blasting days.

Every time the daily Time Weighted Average (TWA) action level is exceeded, Rainier analyzes the filters in the dust monitors, as well as the additional sampling devices outside of secondary containment. Every sample has been non-detect for PCBs, except for one, which was 0.43 ug/m³ for Aroclor 1254.

With blasting activity underway, collecting new background data is not possible. A reasonable and protective approach is to move towards a health risk-based evaluative approach rather than continuing to monitor deviation from background.

The building is unoccupied so the approach is based on worker protection. The same approach was used to set the audible alarm action level for interior dust monitors in Condition 10.b.iii of Amendment 4. The equations, justifications and discussion for this are given in the Statement of Basis for Amendment 4.

Those calculations demonstrate that a health risk-based action level of 1.56 mg/m³ would be extremely protective. The highest concentration on building 15 is well below the maximum concentration used for the calculation (321,000 mg/kg). The maximum concentration on building 15 is only 1,560 mg/kg. An appropriate action level for the highest concentration of PCBs found on building 15 is 320.5 mg/m³.

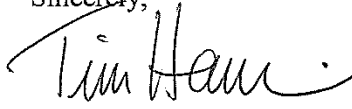
To ensure no unreasonable risk of harm to health or the environment, an action level 1 mg/m³ is approved.

Addition of Condition 17: Rainier Commons elected to use a Cyclone HEPA filter inside the exterior containment structure during blasting activities to reduce the volume of air born dust throughout the containment. Use of this equipment is approved, subject to the decontamination requirements in 40 C.F.R. §§ 761.79, and the inspection, cleaning, and breakdown specifications detailed for the exterior containment structure and documented in the February 24, 2015, Workplan before being removed from site.

The terms and conditions of this approval are established pursuant to 40 C.F.R. §§ 761.62(c) and 761.61(c) and enforceable under the Toxic Substances Control Act (TSCA). Any actions which deviate from the terms and conditions of this approval may result in administrative, civil, or criminal enforcement in accordance with Sections 16 and 17 of TSCA, 15 U.S.C. §§ 2615 and 2616.

Should you have any questions or comments, please contact me at (206) 553-1563 or Michelle Mullin, PCB Coordinator, at (206) 553-1616 or mullin.michelle@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Tim Hamlin". The signature is written in a cursive style with a large, stylized "H" and a small dot at the end.

Timothy B. Hamlin
Director